

REMARKS

Reconsideration and allowance of the subject application are respectfully requested. Claims 2-9, 11-18, and 20-48 are now pending. In this Reply, Applicants have cancelled claims 1, 10, and 19; amended claims 2-9, 11-18, and 20-29; and have added new claims 32-48. Claims 28, 32, 37, and 41 are independent.

Objection to the Drawings

In reply to the Examiner's objections to the drawings, Applicants have submitted a Drawing Correction Authorization Request concurrently herewith which inserts the appropriate bi-directional lines to illustrate connections between elements in Fig. 2 for a possible implementation of the present invention. Upon approval by the Examiner and allowance of the subject application, Applicants will submit corrected formal drawings.

Objection to the Specification

In reply to the objection to the specification based on the formalities specified on page 3 of the Office Action, Applicants have amended the specification to correct each cited informality. Accordingly, Applicants respectfully request withdrawal of the objection to the specification.

Prior Art Rejection

Claims 1-31 stand rejected under 35 U.S.C. § 102 as being anticipated by Garfinkle et al. (U.S. Patent 6,017,157). This rejection, insofar as it may pertain to the presently pending claims, is respectfully traversed.

Initially, with regard to independent claims 1, 10, and 19, Applicants note that these claims have been cancelled without prejudice or disclaimer and new independent claims 32, 37, and 41 have been submitted herewith.

Independent claim 32 is directed to a method of on-line ordering of image-related services, comprising: receiving, at a user station, a digital image; establishing a network connection between the user station and an external network entity; exchanging ordering information, between the user station and the external network entity, for an image-related service for the digital image; and uploading the digital image to the external network entity or another external network entity in accordance with the previously exchanged ordering information. As described for example at col. 4, lines 18-25 and col. 5, lines 13-16, presently disclosed embodiments facilitate on-line ordering of image-related services (e.g., ordering photographic prints or other merchandise). An implementation of the present invention does not require customers to store their images on a network server before placing on-line orders. In one implementation, the user station, via a network access protocol (NAP) module, delays uploading the digital images until an entire on-line order is complete, thereby increasing the speed of the ordering process and improving workflow.

In contrast, the system disclosed by Garfinkle relates to providing services for images that are already stored on a network image server 16. (See e.g., col. 5, lines 35-40, 55-61; col. 8, lines 1-7).

Consequently, Applicants respectfully submit that Garfinkle fails to teach or suggest the method of on-line ordering of image-related services recited in independent claim 32, which includes, *inter alia*, "uploading said digital image to said external network entity or another external network entity in accordance with the previously exchanged ordering information."

New independent claims 37 and 41 distinguish over Garfinkle based on similar reasoning.

Claims 2-8, 11-18, 20-27, 33-36, 38-40, 42-45, and 48 define over Garfinkle at least for depending from one of independent claims 32, 37, and 41, as well as on their own merits. In particular, with reference to dependent claim 35 (and similar claims 39 and 44), Garfinkle likewise fails to teach or suggest that a user station displays a locally stored thumbnail image for which an on-line order is being placed while ordering information is exchanged between the user station and the external network entity.

In this Reply, independent claim 28 has been amended to specify that the network sales-order processing server receives an order and receives any one of first, second, and third image data from the user station after receiving the order, in contrast to Garfinkle in which images are previously stored on server 16. Consequently, Applicants respectfully submit that, particularly as amended, independent claim 28 defines over Garfinkle. Furthermore, dependent claims 29-31, 46, and 47 define over Garfinkle at least for depending from claim 28, as well as on their own merits. In particular, with reference to claim 46, Garfinkle fails to teach or suggest that the user station displays a locally stored thumbnail image corresponding to "any one of the first, second, and third image data while sending ordering information to said network sales/order processing server."

In view of the above, Applicants respectfully request reconsideration and withdrawal of the prior art rejection under 35 U.S.C. § 102 based on Garfinkle.

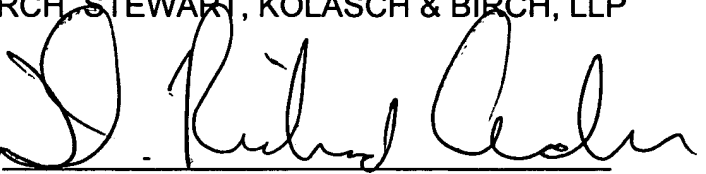
CONCLUSION

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact the undersigned at the telephone number below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

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Attachment: Version With Markings to Show Changes Made

(Rev. 09/26/01)

VERSION WITH MARKINGS TO SHOW CHANGES MADE**IN THE SPECIFICATION:**

Please replace the paragraph beginning on page 1, line 7, with the following rewritten paragraph:

--A conventional on-line system 100 which provides these on-line photo-services is illustrated in Figure 1. The system 100 of Figure 1 includes a computer 110 for example, (a PC), a photofinishing lab 130, and a third party fulfillment house 140, which are connected to the computer 110 by the internet 120. The computer 110 which is operated by a consumer 1, includes an operating system, known to one of ordinary skill in the art, for example, Microsoft Windows 95 (or an upward compatible version) or Windows NT 4.0 (or an upward compatible version). The operating system includes a file system 112. The computer 110 also runs a photo editing application 114 (Microsoft PictureIt!® is one example), which is compatible with the operating system. Digital images which are stored in the file system 112 are edited by the consumer 1 using the computer photo editing application 114. The edited images are uploaded to a photofinishing lab 130 and/or the third party fulfillment house 140, via the internet 120. The photofinishing lab 130 [produced] produces high quality images which are delivered to the consumer 1, via means other than the internet 120 (mail, courier, etc.). The third party fulfillment house 140 produces items, such as mugs, T-shirts, etc., with the desired image printed thereon, and provides the desired goods to the consumer 1, also via the other means. The photofinishing lab 130 and the third party fulfillment house 140 also provide pricing and merchandise availability information to the consumer 1 at the computer 110, via the internet 120.--

Please replace the paragraph beginning on page 2, line 28, with the following rewritten paragraph:

--Figure 2 illustrates a network photo print system 200 in one embodiment of the present invention. The system 200 of Figure 2 includes a computer 210 (for example, a PC), a network sales server 220, an order processing server 222, a photofinishing lab 230, and a third party fulfillment house 240. The computer 210, which is operated by the consumer 1, includes an operating system, known to one of ordinary skill in the art, for example, Microsoft Windows 95 (or an upward compatible version) or Windows NT 4.0 (or an upward compatible version). The operating system includes a file system 212. The computer 210 also may run a photo editing application 215 (Microsoft PictureIt!® is one example), which is compatible with the operating system. Digital images which are stored in the file system 212 are edited by the consumer 1 using the computer photo editing application 214 [212]. The edited images are uploaded to the photofinishing lab 230 and/or the third party fulfillment house 240, via a Network Access Protocol (NAP) module 216, the network sales server 220 and the order processing server 222. The photofinishing lab 230 produces high quality images which are delivered to the consumer 1, via means other than the network sales server 220 and the order processing server 222 (mail, courier, etc.). The third party fulfillment house 240 also produces items such as mugs, T-shirts, etc., with the desired images printed thereon, and provides the desired goods to the consumer 1, also via other means. Similar to the conventional system, the photofinishing lab 230 and the third party fulfillment house 240 also provide pricing and merchandise availability

information to the consumer 1, at the computer 210, via the network sales server 220 and the order processing server 222.--

Please replace the paragraph beginning on page 4, line 3, with the following rewritten paragraph:

--The system 200, and more particularly, the NAP module 216, illustrated in Figure 2 provides an easy and flexible way for consumers to print digital photographs received and processed from a variety of different sources in a variety of different ways. As set forth above with respect to Figure 2 [1], the NAP module 216 transfers digital images stored in the file system 212 and edited by consumer photo editing application 214 to the photofinishing lab 230 and the third party fulfillment house 240, so that the consumer 1 can obtain the desired images and products. The NAP module 216 also transfers digital information received directly from a digital still camera/scanner, via a DSC/scanner interface application. The NAP module 216 also transfers digital images stored in the file system 212 [219], using a shell extension 219 to the operating system. The shell extension 219 permits a technique for providing a PRINT option on a PROPERTIES menu, available through a right mouse button click on a file. The shell extension 219[, this] thus extends the operating interface, such that an option appears for image file icons on the PROPERTY menu and/or the FILE menu, such that consumers can print their photos without having to invoke a separate application program.--

Please replace the paragraph beginning on page 5, line 17, with the following rewritten paragraph:

--As long as an order is open, the NAP module 216 provides the consumer 1 with an indication that reminds the consumer 1 of the open order. When the consumer 1 chooses to pass one of the [store] stored or edited images, edited with the photo editing application 214, the desired image data is passed to the NAP module 216. When the consumer 1 is interacting with the network sales [serve] server module 220, the NAP module 216 passes the image information to the server module 220 which checks the image information for possible less-than-optimum quality reprints, due to resizing and cropping, and outputs an error message to the consumer 1 if necessary.--

Please replace the paragraph beginning on page 6, line 10, with the following rewritten paragraph:

--Figure 3 is a flowchart which illustrates the operation of the NAP module 216 in more detail. In Step 302, the NAP module 216 receives digital information, representing a photographic image, from one or more of a consumer photo editing application 214, a DSC/Scanner interface application 218 and a shell extension 219. In Step 304, the NAP module 216 receives order and merchandise availability information from an external network entity, such as the network sales server 220. In Step 306, the NAP module 216 processes the order based on the photographic information received in Step 302 and the order/merchandise availability information received in Step 304. Finally, in Step 308, the NAP module 216 outputs or uploads the photographic information and the order information so that the network sales server 220, order processing server 222, photofinishing lab 230 and/or the third party fulfillment house 240 can provide a user with photographic images and/or merchandise with the photographic images imprinted thereon. Examples of these

products include photographic reprints and enlargements, such as 4x6, 5x7, 8x10, package prints and template prints; compact discs (CDs) (or other computer media with photos stored thereon), photographic gifts, such as t-shirts, mugs, tote bags, mousepads, keychains, teddy bears, puzzles, and plates with photographic images printed thereon.--

Please replace the paragraph beginning on page 7, line 1, with the following rewritten paragraph:

--The interaction between the NAP module 216 and the shell extension 219, which allows the consumer 1 to send pictures to be printed at a [photo finishing] photofinishing lab 230 from the operating system (for example, the Windows File Explorer or the Windows "My Computer" window), will now be described in more detail. The three major entities in this transfer of information are the shell extension 219, the NAP module 216, and the photofinishing lab 230 [240]. Information is passed between NAP module 216 and the photofinishing lab 230 via the network sales server 220 and the order processing server 222. The shell extension 219 first queries the NAP module 216 regarding its status (busy uploading, ready, pending order) and checks for an internet connection. The shell extension 219[,] can call a help file that provides the consumer 1 with information regarding printing at the photofinishing lab 230 and a jump to a relevant URL. The shell extension 219 writes thumbnail images to designated locations and passes the locations to the NAP module 216. The shell extension 219 also [bundle] bundles JPEG files of correct resolution and job number to a single ZIP file and passes that file to the NAP module 216. The shell extension 219 also allows the consumer 1 the opportunity, on start-up, to send any aborted order that is pending.--